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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of)
HIGUCHI) Art Unit 3727
Application Number: 10/624,552) Examiner
Filed: July 23, 2003) Grosso, Harry A.
For: CONTAINER CAPABLE OF KEEPING A)
LENGTHWISE CONTRACTED STATE AND)
CONTRACTION METHOD THEREOF)
Attorney Docket No. TESJ.0059)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

We, Stanley P. Fisher and Juan Carlos A. Marquez, represent that we are the attorneys of record for the above-identified application.

The invention has been assigned to Gohsho Company, Limited which is the owner by assignment of the entire right and title of the above-captioned patent application.

Gohsho Company, Limited is also the owner of the entire right and title to US Patent No. 6,669,040 by assignment, and hereby disclaim the terminal part of any patent granted on the above-captioned patent application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of US Patent No. 6,669,040, and hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to US Patent No. 6,669,040, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

No rights available under the provisions of 35 U.S.C. § 155 and 156 are hereby waived.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of US Patent No. 6,669,040, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, if found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

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